
TOO GOOD TO BE TRUE....

A Column on Consumer Issues
by Attorney General Wayne Stenehjem's
Consumer Protection and Antitrust Division

June 11, 2003

BEWARE OF ASPHALT PAVING SCAMS

Asphalt driveways can begin to look pretty worn and faded after a few harsh winters. And it is only natural for a homeowner to want to get the restoration done as cheaply as possible. But as you concentrate on your home repair projects this summer, beware of asphalt paving scam operators.

A traveling asphalt paving crew may notice your driveway and offer you a low-priced opportunity to revitalize it. But a little bit of caution and common sense can help prevent serious problems.

The ability to "hit and run" is the key to a successful asphalt paving scam. Crews usually wander from one county or community to another offering a driveway sealing service. Representatives of the crews typically approach consumers in their yards, promising low estimates because of leftover materials from a completed job a few houses away or on a nearby highway project.

They may offer a lifetime guarantee, but often the quality of the material used and application is inferior, and you may soon have weeds growing through the new asphalt. Unfortunately, the paving crew is long gone by the time you discover you have a problem. It may cost you more to redo the driveway after the fresh look washes away with the next rain shower.

Another way to spot a possible scam is an offer to do the work without a written contract. Without a written contract, the original low estimate may grow to hundreds or even thousands of dollars once the work is completed.

The crews often operate near major highway systems and insist on cash payments. If checks are accepted at all, they are cashed immediately at the nearest bank.

It is up to consumers to protect themselves from scam artists. If you are eager to have the work done, you should insist that it be on your terms. Ask for references and check them before agreeing to have the work done. Take the crew's written estimate, and tell them you will get back to them. Get bids from established local paving companies to compare prices.

Make sure that the asphalt paving company has its transient merchants license, which is issued by the Attorney General's office. This license requires that the company be bonded so that in the event the work is not performed or is substandard you may be able to file a claim against the bond. Without a bond, you will have little recourse if there is a problem and the paving crew leaves town.

Above all, don't let them pressure you to have the work done immediately. North Dakota law requires that consumers who are solicited at their home be given a written, three-day right of cancellation.

The Attorney General's Consumer Protection Division investigates allegations of fraud in the marketplace. Investigators also mediate individual complaints against businesses. If you have a consumer problem or question, call the Consumer Protection Division at 328-3404, toll-free at 1-800-472-2600, or 1-800-366-6888 (w/TTY). This article and other consumer information is located on our website at www.ag.state.nd.us.

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